

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

OLYMPIA LEVINSON STIEGELE, derivatively on behalf of Nominal Defendant Viisage Technology, Inc.,)
Plaintiff,)
v.)
) Case No. 05-10677 (MLW)
BERNARD C. BAILEY, PAUL T. PRINCIPATO, PETER NESSEN, THOMAS J. REILLY, DENIS K. BERUBE, BUDDY G. BECK, CHARLES E. LEVINE, WILLIAM K. AULET, MARCEL YON and HARRIET MOUCHLEY-WEISS,)
Defendants,)
v.)
VIISAGE TECHNOLOGY, INC.,)
Nominal Defendant.)

JOINT MOTION FOR BRIEFING SCHEDULE

Plaintiff, Olympia Levinson Stiegele, and Defendants¹, pursuant to Local Rule 7.1, for an order approving the briefing schedule set forth below for Defendants' Motion to Dismiss Plaintiff's Amended Complaint. In support of their Motion, the parties state as follows:

1. Plaintiff commenced this derivative action on April 5, 2005.

¹ Defendants are Bernard C. Bailey, Paul T. Principato, Peter Nessen, Thomas J. Reilly, Denis K. Berube, B. G. Beck, Charles E. Levine, William K. Aulet, and Harriet Mouchley-Weiss.

2. Defendants moved to dismiss Plaintiff's Complaint. Briefing on Defendants' motion was complete on April 26, 2006.

3. While Defendants' motion to dismiss was pending, Plaintiff, on July 27, 2006 filed an Amended Complaint.

4. Defendants' response to the Amended Complaint is currently due on September 15, 2006.

5. The parties have agreed to the following schedule for the briefing of Defendants' motion to dismiss Plaintiff's Amended Complaint.

- a. Defendants' motion to dismiss and supporting memorandum to be filed with the Court on or before October 26, 2006;
- b. Plaintiff's opposition to be filed with the Court on or before November 29, 2006; and
- c. Defendants' reply memorandum to be filed with the Court on or before December 21, 2006.

6. The requested schedule will not affect any other deadlines set by the Court in the case.

WHEREFORE, Defendants respectfully request the Court enter an order approving the schedule set forth above.

OLYMPIA LEVINSON STIEGELE,

By her Attorneys,

VIISAGE TECHNOLOGY, INC.

By its attorneys,

/s/ William B. Federman

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Dated: September 14, 2006